

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No.73334

Timothy Mark Williams  
Linda Williams  
790 Herald Road  
Sutton, W Virginia 26601

8221 Kavanagh Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on March 17, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310, failure to comply with correction notice, failure to remove junk, trash and debris from under the rear porch (steps) on residential property known as 8221 Kavanagh Road, 21222.

On February 23, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Ray Harmon issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on February 5, 2010 for removal of trash and debris from property, remove junk, trash and debris under rear porch, rear yard. This Citation was issued on February 23, 2010.

B. Photographs in the file show junk, trash and debris under the rear porch and in the rear yard of this investment property, including bagged garbage, old plywood, plastic and metal pipes, Styrofoam, and rusty cans. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. BCC Section 13-4-201, Section 13-7-309, Section 13-7-310.

C. Because compliance is the goal of code enforcement, and the file does not show a history of violations at this property, the civil penalty will be rescinded if the violations are corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$200.00 (two hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violations are corrected by April 7, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 22<sup>nd</sup> day of March 2010

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer